



Ebensburg Borough Council Meeting
Monday, July 28, 2014
6:30 p.m.

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Borough Council
Doug Tusing, President
Susan Barber, Vice-President
Cecilia Houser
Theresa Jacoby
Dave Kuhar
Joe Lutz
Joe Miller
Mayor
Randy Datsko

AGENDA

CALL TO ORDER & PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

Members of the public are invited to comment at this time on any item appearing on the agenda.

1. CONSENT AGENDA

All items listed on the Consent Agenda are considered to be routine and will be acted upon by a single motion. There will be no separate discussion of these items unless members of the Council request specific items to be removed for separate action.

- Item 8B: Hire Joshua Deffibaugh as part-time police officer at the rate of \$12.50/hr., effective 7/17/2014.
- Item 9A: Approve the minutes of the June 23, 2014 regular monthly meeting of Borough Council.
- Item 9B: Approve the Financial Statement and quarterly fund transfers.
- Item 9C: Approve payment of bills.

Recommended Action – Approve the consent agenda.

2. APPOINTMENTS TO ADDRESS COUNCIL

3. MAYOR'S REPORT

- Item 3A: Report on Police Department

4. COUNCIL PRESIDENT COMMENTS

5. WATER & WASTEWATER COMMITTEE

Kuhar & Houser

Item 5A: Report from Severn Trent Services on Wastewater Plant Operations

Plant Supervisor Bernie Kozlovac will provide a verbal report on projects and activities at the wastewater plant during the month.

Recommended Action – No action required.

6. RECREATION COMMITTEE

Barber & Jacoby

7. STREET COMMITTEE

Lutz, Miller & Houser

Item 7A: Street Paving

All construction work in preparation for the street resurfacing has been completed including the stormwater work on North Caroline Street, the water line replacement on East Ogle Street, and the gas line replacement along and near Reddinger Street. Miller Paving is currently completing repairs to the surfaces on and near Reddinger Street. Borough crews are in the process of removing weeds from the edges of streets and otherwise preparing for the street resurfacing.

Recommended Action – No action required.

Item 7B: West High Street Bridge

The new bridge to be constructed in the spring by PennDOT on West High Street includes sidewalks on both sides. Before adding sidewalks to a project, PennDOT requires that a maintenance agreement be in place. The Borough will continue to maintain the sidewalks on the bridge, and the neighboring property owners will be responsible for those sections adjacent to private properties. This arrangement is no different than our past practice on the bridge, and with other sidewalks in town.

Recommended Action – Approve the sidewalk maintenance agreement proposed by PennDOT for sidewalks on and near the new West High Street bridge.

8. ADMINISTRATION COMMITTEE

Lutz, Barber & Jacoby

- * Item 8A: AFSCME Negotiations
Negotiations continue with AFSCME on the collective bargaining agreement which expires at the end of 2014.

Recommended Action – No action required.

- * Item 8B: Part-time Police Officer
Chief Wyland has recommended that Joshua Deffibaugh be hired as a part-time police officer.

Recommended Action – Hire Joshua Deffibaugh as part-time police officer at the rate of \$12.50/hr., effective 7/17/2014.

9. GENERAL BUSINESS

- * Item 9A: Minutes of Previous Meeting(s)
The minutes of the previous meeting are presented for Council review and approval.

Recommended Action – Approve the minutes of the previous meeting.

- * Item 9B: Financial Statement
The financial statement for June 2014 is presented for approval.

At the end of each quarter, fund transfers are made in order to process transfers made to and from reserve accounts, and to distribute the cost of routine and capital expenses among the proper accounts. Fund transfers made for the 2nd quarter are attached.

All projects have been completed and closed at the airport. The sum of \$6,528.80 will be transferred from the Airport Project Fund back to RACRA, leaving a balance of \$500.00 for no reason other than holding the account open. The remaining balance of \$500.00 belongs to RACRA.

Recommended Action – Approve the June 2014 financial statement and quarterly fund transfers.

- * Item 9C: Bills
A list of bills totaling \$161,250.37 is submitted for approval.

Recommended Action – Approve payment of the bills as submitted.

Item 9D: Stormwater

- * 1. Powers & Purpose of Authority
The Articles of Amendment for the Ebensburg Municipal Authority have been advertised as required, and have been submitted to the Secretary of the Commonwealth.

Recommended Action – No action required

- 2. **Ordinance #612, Establishing Stormwater Fees**
Ordinance #612, establishing the stormwater system fee, was granted tentative approval last month, has been advertised for public inspection, and is ready for final adoption.

One minor change was made to the proposed Ordinance subsequent to advertisement. The term “single-family” has been changed to “single-household”; the difference being that persons residing in the same house that are unrelated will qualify as a single-household.

Recommended Action – Grant final approval to Ordinance #612 establishing a fee for support of a stormwater management system.

3. Stormwater Program and User Fee Credit Manual

Per Section 11 – “Credits Applicable to Stormwater Charges” of Ordinance #612, a credit policy is to be established for stormwater user fees. It allows owners to apply for credits for implementing and maintaining stormwater best management practices on their parcel(s) to reduce the rate and volume of stormwater that enters the storm sewer system or to provide on-site stormwater quality benefits. By implementing such measures, parcel owners are helping to reduce the demand on the existing system or related Borough services. The proposed manual has been prepared to detail the policies and application procedures for available credits.

Recommended Action – Adopt the Stormwater Program and User Fee Credit Manual.

4. Ordinance #613, Conveying Property to Authority

Ordinance #613 is submitted for Council’s consideration. It transfers all stormwater facilities to the municipal authority, in the same way that all water and wastewater facilities were transferred in the past. Like the water and wastewater facilities, the stormwater facilities will be leased back to the Borough, under a separate document, for operation and maintenance.

Recommended Action – Grant tentative approval to Ordinance #613 transferring all stormwater facilities to the Ebensburg Municipal Authority, and advertise for public inspection.

5. Amendment of Lease Agreement

The current Agreement of Lease between the Borough and the municipal authority, dated November 19, 2012, must be amended to include reference to stormwater management facilities. The Agreement of Lease serves two purposes. First, it constitutes the status of the municipal authority as a “Leaseback Authority”. Second, it is a requirement of any debt instrument obtained by the municipal authority. The Agreement requires amendment for each new debt instrument obtained. When a new PENNVEST loan is obtained by the municipal authority, the Lease Agreement will be amended in its entirety. In the interim, the Lease Agreement is to be amended to include stormwater facilities and fees in any section in which water and or sewer facilities and fees are mentioned. This includes adding the \$16,000 included in the rate study for administrative purposes.

Recommended Action – Adopt the amended Agreement of Lease between the Borough of Ebensburg and the Ebensburg Municipal Authority, reflecting the addition of stormwater management facilities.

6. Amendment of Operating Agreement

The current Operating Agreement between the Borough and the municipal authority, dated November 19, 2012, must be amended to include reference to stormwater management facilities. As the Operating Agreement is not associated with any debt

instruments, it can be amended in its entirety. As with the Lease Agreement, the Operating Agreement as submitted has been amended to include stormwater facilities and fees in any section in which water and or sewer facilities and fees are mentioned.

Recommended Action – Adopt the amended Operating Agreement between the Borough of Ebensburg and the Ebensburg Municipal Authority, reflecting the addition of stormwater management facilities.

10. DEPARTMENT REPORTS

Item 10A: Police Department

Chief Wyland will provide a verbal report on the police department's activities during the month. A written report was e-mailed to Council separately.

Item 10B: Public Works Department

Public Works Director Dave Dodson will provide a verbal report on the public works department's activities during the month.

Item 10C: Community Development

Community Development Director Danae Koss will provide a verbal report on the community development department's activities during the month.

Item 10D: Recreation Department

Recreation Director Matt Pfeil will provide a verbal report on the recreation department's activities during the month.

* Item 10E: Codes Enforcement

A monthly codes enforcement report is provided in Council's mailbox.

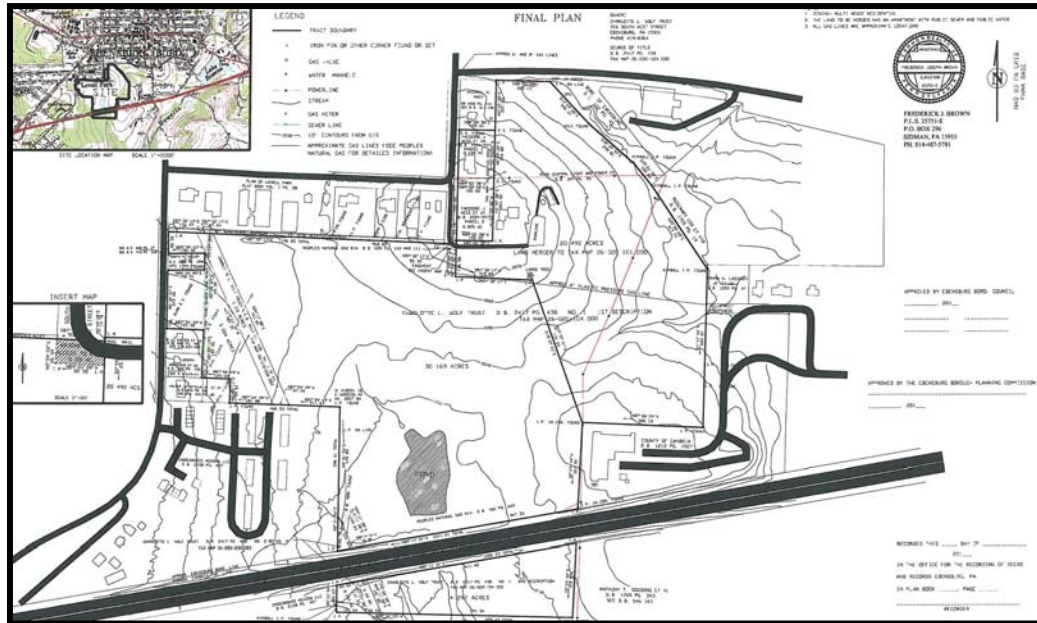
* Item 10F: Ebensburg Municipal Authority

A copy of the minutes of the last municipal authority meeting is included in Council's packet.

Item 10G: Ebensburg Planning Commission

1) Appledale Golf Course

The planning commission granted final approval to a subdivision/lot merger plan for Appledale Golf Course. The property is being divided in two between two family members.



Recommended Action – Grant final approval to the Appledale subdivision/lot merger plan.

* Item 10H: Ebensburg Zoning Board

1) Falchini

The zoning board approved four variances for the proposed Falchini building on West High Street. The variances were for setbacks next to a grass alley and Park Street, allowing retaining walls in front of the building line, parking stall sizes and landscape buffers along West High Street.



Recommended Action – No action required.

11. MEDIA COMMENTS/QUESTIONS

Representatives of the media are invited to comment and ask questions at this time on any issues, whether or not on the agenda.

12. PUBLIC COMMENTS

Members of the public are invited to comment at this time on any issues, whether or not on the agenda.

13. ADJOURNMENT

Copies of all staff reports and documents subject to disclosure that relate to any item of business referred to on the agenda are available for public inspection the Thursday before each regularly scheduled meeting at the Borough office, located at 300 West High Street, Ebensburg, Pa. Any documents subject to disclosure that are provided to members of the Borough Council regarding any item on this agenda are available for public inspection at the Borough office or at www.ebensburgpa.com.

In accordance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Borough office (814) 472-8780 or eburg@ebensburgpa.com. Notification 48-hours before the meeting will enable the Borough to make reasonable arrangements to ensure accessibility to this meeting.